

**ASSEMBLY BILL**

**No. 931**

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**Introduced by Assembly Member Fletcher**

February 26, 2009

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An act to amend Section 1261.5 of the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 931, as introduced, Fletcher. Emergency supplies.

Existing law provides for the licensing and regulation by the State Department of Public Health of health facilities, including, but not limited to, skilled nursing facilities and intermediate care facilities.

Existing Pharmacy Law provides for the licensing and regulation of the practice of pharmacy under the jurisdiction of the California State Board of Pharmacy and establishes requirements for the dispensing of drugs.

Existing law authorizes a pharmacy to furnish dangerous drugs or devices to a licensed health facility for storage in a secure emergency pharmaceutical supplies container that is maintained within the facility under regulations of the department. Existing law authorizes the department to limit the number of doses of each drug available to a skilled nursing facility or intermediate care facility to not more than 4 doses of any separate drug dosage form in each emergency supply.

This bill would increase the authorized amount in an emergency supply to 6 doses.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 1261.5 of the Health and Safety Code is  
2     amended to read:  
3     1261.5. (a) The number of oral dosage form or suppository  
4     form drugs provided by a pharmacy to a health facility licensed  
5     pursuant to subdivision (c) or (d), or both (c) and (d), of Section  
6     1250 for storage in a secured emergency supplies container,  
7     pursuant to Section 4119 of the Business and Professions Code,  
8     shall be limited to 24. The State Department of *Public* Health  
9     Services may limit the number of doses of each drug available to  
10    not more than ~~four~~ six doses of any separate drug dosage form in  
11    each an emergency supply.  
12    (b) Any limitations established pursuant to subdivision (a) on  
13    the number and quantity of oral dosage or suppository form drugs  
14    provided by a pharmacy to a health facility licensed pursuant to  
15    subdivision (c), (d), or both (c) and (d), of Section 1250 for storage  
16    in a secured emergency supplies container shall not apply to an  
17    automated drug delivery system, as defined in Section 1261.6,  
18    when a pharmacist controls access to the drugs.